

RESOLUTION NO. 2017- 47

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, RELATING TO THE AMELIA CONCOURSE ASSESSMENT AREA; AMENDING RESOLUTION NO. 2003-141 TO PROVIDE FOR THE TRANSFER OF ERUS AMONG PROPERTIES IN THE AMELIA CONCOURSE ASSESSMENT AREA; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, enacted Ordinance No. 2000-37 to provide for the creation of Assessment Areas and authorize the imposition of special assessments to (1) fund the construction of Local Improvements (as defined in the Ordinance) to benefit property located in proposed Assessment Areas and (2) the cost of maintaining such Local Improvements; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, imposed special assessments within the Amelia Concourse Assessment Area by its Resolution No. 2003-141, adopted on November 10, 2003; and

WHEREAS, pursuant to that certain Development Agreement, dated as of September 8, 2003, among the County and the property owners within the Amelia Concourse Assessment Area, the property owners within the Amelia Concourse Assessment Area are limited to developing their property to the extent of daily trips (measured in ERUs) assigned to such parcels for purposes of imposing the Assessments; and

WHEREAS, Amelia Concourse SPE LLC sold to DFH Amelia LLC, that property more particularly described in OR Book 2023, Page 1971.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS

The above recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

SECTION 2. AUTHORITY

This Resolution is adopted pursuant to the Ordinance (in particular Section 2.08 and Section 2.13 thereof), Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 3. DEFINITIONS

All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the implementing resolutions adopted pursuant thereto.

SECTION 4. AMENDMENTS TO THE FINAL ASSESSMENT RESOLUTION.

Based on the transfers described in the recitals above, the following changes are hereby appended to the parcel descriptions in Section 3.03 of the Final Assessment Resolution:

PARCEL L TRANSFER:

Parcel No. 30-2N-28-0000-0001-0040 previously totaled 332 ERUs. In January 2016, 73 acres representing 153 ERUs was sold by Amelia Concourse SPE LLC to DFH Amelia LLC, as recorded in OR Book 2023, Page 1971. No ERUs are being transferred outside of Parcel L but rather are reallocated internal to Parcel L.

ERUs have been reassigned as follows:

- 30-2N-28-0000-0001-0050 is a newly created parcel based on the sale of the parcel and will be assigned 153 ERUs. This parcel is owned by DFH Amelia LLC.
- 30-2N-28-0000-0001-0040 will be assigned 179 ERUs. This parcel is owned by Amelia Concourse SPE LLC.

SECTION 5. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION AND FINAL ASSESSMENT RESOLUTION. The initial Assessment Resolution and the Final Assessment Resolution, as modified by Section 4 hereof, are hereby ratified and confirmed.

SECTION 6. ASSESSMENT NOTICE. The Assessment Coordinator is hereby directed to record this Resolution as notice of the Assessments in the Official Records Book in the Office of the Nassau County Clerk of Courts.

SECTION 7. CONFLICTS. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. SEVERABILITY. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 9. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

DULY ADOPTED this 10th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



DANIEL B. LEEPER
Its: Chairman

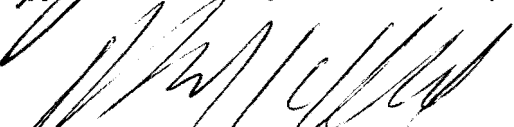
ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
04.12.17

Approved as to Form by the Nassau County Attorney:



MICHAEL S. MULLIN